



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—मध्य उप-विभाग

वर्ष ५, अंक ५४(६)]

सोमवार, मार्च ३, २०१४/फाल्गुन १२, शके १९३५

[पृष्ठे ९, किंमत : रुपये ४.००

असाधारण क्रमांक १७

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 3rd March 2014

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS. 2512/205/C.R. 221/12/UD-30.—Whereas the Government has sanctioned the Regional Plan for Akola-Washim Region (hereinafter referred to as “the said Regional Plan”) *vide* Notification No. TPS. 2509/205/C.R. 106/2009/UD-30, dated 23rd April 2012 as per the provisions of section 15 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) along with the Development Control Regulations for development of Special Township Projects (Appendix-A) (hereinafter referred to as “the said STP Regulations”) which has come into force with effect from 15th June 2012 ;

And whereas, considering the need for rationalizing the Special Township Projects and Mega City Scheme in the Mumbai Metropolitan Region the Government constituted a Committee *vide* GR No. Misc-2009/1301/CR. 271/09/UD-12, dated 17th May 2012 (hereinafter referred to as “the said Committee”) to study and make recommendations on certain issues ;

And whereas, the said Committee recommended some modifications in Regulations to promote and facilitate such schemes by providing higher incentives to bigger Special Township Projects on a graded scale and at the same time recommended grant of premium free additional F.S.I. for creation of the EWS/LIG Housing as per the State Housing Policy 2007, and also to apply modified regulations throughout the State ;

And whereas, after considering the recommendations of the said Committee the Government was of the opinion that, it was necessary to suitably modify the said Regulations to make the same more effective ;

And whereas, under sub-section (2) of section 20 of the said Act, the Government decided to make modification to the said Regional Plan to promote and facilitate such Special Township

Projects and for that purpose decided to provide for graded F.S.I. as well as the EWS/LIG Housing under the Special Township Projects ;

And whereas, in the light of the above under the powers conferred on it by sub-section (3) section 20 of the said Act the Government in Urban Development Department published a Notice bearing No. TPS-2512/205/C.R. 221/12/UD-30, dated the 29th August 2013 (hereinafter referred to as “ the said Notice ”) to incorporate the provision regarding graded F.S.I. and EWS/LIG Housing under the Special Township Projects, more specifically described in the Annexure ‘A’ accompanying the said Notice (hereinafter referred to as “ the proposed Modification ”) which appeared in *Official Gazette*, Part-IA, Amravati Division supplement, dated the 26th September 2013 on page Nos. 220 to 223 and appointed the Deputy Director of Town Planning, Amravati Division, Amravati as the Officer (hereinafter referred to as “ the said officer ”) to hear suggestions and /or objections which may be received within the Thirty days period and submit his report to the Government ;

And whereas, the said Officer submitted his report *vide* his Marathi letter No. प्रा.यो. अकोला-वाशिम/२०१३/फेरबदल/उपसंअम/२०७२, दिनांक २६ डिसेंबर २०१३, to the Government ;

And whereas, after considering the report submitted by the said Officer and after consulting the Director of Town Planning, Maharashtra State, Pune and after making necessary inquiries, the Government is of the opinion that the proposed modification needs to be sanctioned with certain changes ;

Now therefore, in the exercise of the powers conferred by sub-section (4) of Section 20 of the said Act the Government hereby :—

(A) Sanctions the proposed modification published by means of the said Notice dated the 29th August 2013 with certain changes as described more specifically in the Annexure-‘A’ appended hereto, and for that purpose modifies the Notification dated the 23rd April 2012 sanctioning the said Regional Plan.

(B) Fixes the date of publication of the Notification in the *Official Gazette* as the date of coming into force of this modification.

A copy of the sanctioned modification in respect of the said STP Regulations for Development of Special Township Project in areas under the Akola Washim Regional Plan shall be kept open for inspection by the general public in the offices of the following officers for the period of one month :—

(1) Joint Director of Town Planning, Amravati Division, Amravati.

(2) The Collector, Akola.

(3) The Collector, Washim.

(4) Assistant Director of Town Planning, Akola Branch, Collector Office, 2nd Floor, Administrative Building, Akola 444 002.

(5) Assistant Director of Town Planning, Washim Branch, Yojana Heights C/o. A. V. Patki, Ground Floor, Near Hotel Maniprabha, Hingoli Road, Washim 444 505.

This notification shall also be made available on Government web site www.maharashtra.gov.in

ANNEXURE- 'A'

[Accompaniment to the Government Notification No. TPS-2512/205/C.R.221/12/UD-30, dated the February 2014].

SANCTIONED MODIFICATIONS IN THE REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIP PROJECTS IN AREAS UNDER AKOLA-WASHIM REGIONAL PLAN.

Modification. No. (1)	Existing Provisions as per Sanctioned Regulations. (2)	Modification Proposed <i>vide</i> Government Notice No. TPS-2512/205/C.R. 221/12/UD-30, dated 29th August 2012. (3)	Modification Sanctioned under Section 20(4) of the Maharashtra Regional and Town Planning Act, 1966. (4)
1	4(a) Residential :— The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total floor area proposed to be utilised which is permissible as proportionate to zoning of area under such township, at least 60% of the area may be used for purely residential development and further out of the total floor area proposed to be used for residential development, 10% of the same shall be built for residential tenements having built-up area up to 40 sq.mt.	4(a) Residential :— 33.33% of the same or 20% of the total built-up area whichever is more shall be built for Social housing for E.W.S/L.I.G	4(a) Residential :— The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total floor area proposed to be utilized which is permissible as proportionate to the zoning of area under such township, at least 60% of the floor area generated by utilising the basic Floor Space Index (FSI), may be used for purely residential development (hereinafter referred to as "Residential Component" of the Special Township Projects.) The area earmarked for social housing for Economically Weaker Sections (E.W.S.) / Lower Income Groups (L.I.G.) shall be governed by Regulation No.5.1(i) & 5.1(ii), in such a way that the building permission for the residential component of the Special Township Project shall be given pro-rata in accordance with the development of Social Housing for the E.W.S./ L.I.G.
2	4.(j) Nil	4 (j) Economic Activities— In order to make the Special Townships self-sustainable and ensure their development as new self-contained mirco-centres of urban growth, the Special Township shall ideally be centred around one or more key economic activities like Trade/Commerce, Education, Health Care, Non polluting/ Service Industries, Entertainment, Tourism, etc. Special Townships shall compulsorily provide certain minimum area for such economic activities as given below :—	4. (j)- Economic Activities— In order to make the Special Township Projects self-sustainable and ensure their development as new self-contained micro-centers of urban growth, the Special Township Project shall ideally be centered around one or more key economic activities like Trade / Commerce, Education, Health Care, Non-polluting Industries, Service Industries, Entertainment, Tourism, etc. Special Townships shall compulsorily provide minimum 20% built-up area for such economic activities and development of the Residential

ANNEXURE- 'A'—(Contd.)

(1)	(2)	(3)	(4)
	<p>STP Area in Ha.</p> <p>40 to 100</p> <p>Above 100 to 200</p> <p>Above 200</p> <p>The area earmarked for Economic Activities shall include Commercial Area.</p>	<p>Minimum Built-up Area for Economic Activities</p> <p>15%</p> <p>20%</p> <p>25%</p>	<p>Component of the Special Township shall be permissible pro rata, in accordance with the development of economic activities. Explanation :—</p> <p>(i) Educational activity and Health Care activity mentioned above shall not include Primary / Secondary Schools and Primary I Secondary Health Care facilities respectively.</p> <p>(ii) The total built-up area for Commercial activities under Regulation No.4(b) and the total commercial built-up area under Regulation No.4(d) shall be counted towards the built-up area for the aforesaid Economic Activities.</p>
3	<p>Note No. III.—Minimum parking shall be provided as per standardised DCR of A class Municipal Council provided that for Hotel, Restaurant, College, School, Educational Institutions, Educational classes, Hospitals, Polyclinics and diagnostic centers, Offices, Mangal Karyalaya, Town Hall, Clubs etc. onsite parking shall be provided. For buildings having mix users, in addition to regular parking area as mentioned above a space 3.00 mtr. wide strip along the road on front/side shall be provided for visitors parking.</p>	<p>4.3 The words “ DCR of A Class Municipal Council ” in Notes (III) under sub-regulation 4 shall be replaced by the words- “ Development Control and Promotion Regulations of ‘A’, ‘B’, ‘C’ Class Municipal Councils ”</p>	<p>4. Note No.III -Minimum parking shall be provided as per the Standardised Development Control and Promotion Regulations for Regional Plan.</p>
4	<p>5. Development Control Regulations :—</p> <p>Prevailing Development Control Regulations of sanctioned Regional Plan shall be applicable <i>mutatis mutandis</i> except those expressly provided in these Special Regulations.</p>	<p>5. Development Control Regulations :—</p> <p>Prevailing Development Control Regulations of sanctioned Regional Plan, <i>Standardised Development Control and Promotion Regulations of ‘A’ ‘B’ and ‘C’ Class Municipal Councils</i> shall be applicable <i>mutatis mutandis</i> to the Special Township Projects except those expressly provided in these Special Regulations.</p>	<p>5. Development Control Regulations:-</p> <p>Prevailing Development Control Regulations of the sanctioned Regional Plan alongwith the Standardised Development Control and Promotion Regulations for Regional Plan, as well as the provisions of MoEF Notifications issued from time to time shall be applicable <i>mutatis-mutandis</i> to the Special Township Projects, except those expressly provided in these Special Regulations.</p>

ANNEXURE- 'A'—(Contd.)

(1)	(2)	(3)	(4)																																																												
5	<p>5.1 (i).—Special Township in Residential, Residential with Agricultural/No Development Zone-(i) The total built-up area/FSI of the entire gross area of the Special Township in Residential Zone will be 1.00. The FSI for Agricultural/No Development Zone, if any, included in Special Township shall be 0.5. Total FSI in the township will be in proportion to areas of different Zones. There will be no limit of total built-up area / FSI for the development of individual plots. Height of building shall be as per prevailing Bye-laws as specified in Regional Plan.</p> <p>However, it may be increased subject to provisions of fire fighting arrangements with prior approval of Fire Advisor, Government of Maharashtra.</p>	<p>5.1 (i).—Special Township Project in Residential Zone.</p> <p>The FSI distribution in the Residential Zone/ Residential with Agricultural/ Green Zone within the Regional Plan area shall be as given below :—</p> <table><tr><th>Sr. No.</th><th>Area Of Township in Ha.</th><th>Basic FSI</th><th>Additional Social Housing FSI for EWS/LIG (Compulsory)</th><th>Additional FSI Against Payment of Premium (Optional)</th><th>Maximum Total Permissible FSI on Gross Plot Area.</th></tr><tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th><th>(6)</th></tr><tr><td>1</td><td>40 to 100</td><td>1.00</td><td>0.2</td><td>0.10</td><td>1.30</td></tr><tr><td>2</td><td>Above 100 to 200</td><td>1.00</td><td>0.2</td><td>0.20</td><td>1.40</td></tr><tr><td>3</td><td>Above 200</td><td>1.00</td><td>0.2</td><td>0.30</td><td>1.50</td></tr></table>	Sr. No.	Area Of Township in Ha.	Basic FSI	Additional Social Housing FSI for EWS/LIG (Compulsory)	Additional FSI Against Payment of Premium (Optional)	Maximum Total Permissible FSI on Gross Plot Area.	(1)	(2)	(3)	(4)	(5)	(6)	1	40 to 100	1.00	0.2	0.10	1.30	2	Above 100 to 200	1.00	0.2	0.20	1.40	3	Above 200	1.00	0.2	0.30	1.50	<p>5.1 (i) <i>Special Township Project in Residential Zone.—</i></p> <p>(i) The admissible FSI in respect of a Special Township Project in the Residential Zone within the Regional Plan area shall be as given below :—</p> <table><tr><th>Sr. No.</th><th>Area of Township (in Ha.)</th><th>Basic FSI on Gross Plot area</th><th>Additional Social Housing FSI @ 20% of the basic for EWS/ LIG (compulsory)</th><th>Additional FSI Against Payment of Premium (Optional)</th><th>Maximum Total permissible FSI on Gross Plot Area</th></tr><tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th><th>(5)</th><th>(6)</th></tr><tr><td>1</td><td>40-100</td><td>1.0</td><td>0.20</td><td>0.10</td><td>1.30</td></tr><tr><td>2</td><td>Above 100 to 200</td><td>1.0</td><td>0.20</td><td>0.20</td><td>1.40</td></tr><tr><td>3</td><td>Above</td><td>1.0</td><td>0.20</td><td>0.30</td><td>1.50</td></tr></table>	Sr. No.	Area of Township (in Ha.)	Basic FSI on Gross Plot area	Additional Social Housing FSI @ 20% of the basic for EWS/ LIG (compulsory)	Additional FSI Against Payment of Premium (Optional)	Maximum Total permissible FSI on Gross Plot Area	(1)	(2)	(3)	(4)	(5)	(6)	1	40-100	1.0	0.20	0.10	1.30	2	Above 100 to 200	1.0	0.20	0.20	1.40	3	Above	1.0	0.20	0.30	1.50
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3	Above	1.0	0.20	0.30	1.50																																																										
6	<p>5.2 Special Townships in Agricultural / No Development Zone :—</p> <p>(i) Development of Special Township Projects in Agricultural/No Development Zone, Green Zone and Urbanisable Zone contained in the Regional Plan shall be permissible subject to condition that 50 percent of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50 percent land with gross built-up area/ FSI of 0.50 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50</p>	<p>5.2 (i) <i>For the Special Township Projects in Agricultural Zone / Green Zone / No Development Zone the following provisions shall he applicable :—</i></p> <p>(A) <u>Area within Transport Corridor *</u></p> <p>Over the area of Special Township Projects falling within the Transport Corridor as defined in the Explanation to this sub-regulation below, the FSI shall be as applicable to the Special Township Projects referred in sub-regulation 5.1 above.</p> <p>(B) <u>Area outside Transportation Corridor *</u></p> <p>Over the area of Special Township Projects outside the Transportation Corridor, the FSI shall be as given below :—</p>	<p>5.2 (i) <i>Special Township Project in Agricultural / No Development Zone.—</i></p> <p>(i) Development of a Special Township Project in Agriculture/ No Development Zone/ Green Zone contained in the Regional Plan shall be permissible subject to the condition that 50 percent of the gross area of the project shall be kept open while the Special Township Project shall be executed on the remaining 50 percent land, with basic FSI of 0.50, worked out on the entire gross area of the Project. Further, while developing such Project, it shall be obligatory on the part of the Developer to provide and develop all the infrastructure facilities, including the sites required for public purposes, as per the prescribed planning norms. As regards 50 percent of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible thereon.</p>																																																												

ANNEXURE- 'A'—(Contd.)

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(1)	(2)	(3)				(4)
percent of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible thereon.	Sr No	Area Of Township in Ha.	Basic FSI	Additional Social Housing FSI (@ 20% of the basic) for EWS/LIG (Compulsory)	Additional FSI Admissible on Payment of Premium (Optional)	Maximum Total Permissible FSI on Gross Plot Area.
	(1)	(2)	(3)	(4)	(5)	(6)
	1	40 to 100	0.5	0.1	0.20	0.80
	2	Above 100 to 200	0.5	0.1	0.30	0.90
	3	Above 200	0.5	0.1	0.40	1.00
<p><i>* Explanation :—Transport Corridor' shall mean—</i></p> <p>(a) <i>In case of roads, an area within one km. distance on either side of a road having a minimum width of 24 mts. the road not being an access control road like Express Way, and</i></p> <p>(b) <i>In case of railway, an area within one km. radius of a passenger railway station.</i></p> <p>(ii) There shall be no limit on the total built-up area / FSI for the development of individual plots in the Special Township Projects. Height of any building shall be as per Standardized Development Control and Promotion Regulations of A, B and C Class Municipal Councils. However, the height may be increased subject to provision of fire fighting arrangements with prior approval of the Director of Fire Services, Government of Maharashtra.</p>						
<p><i>Provided that, over and above the built-up area corresponding to the basic FSI of 0.5, the Developer shall have to compulsorily provide built-up area, for the EWS and the LIG, equal to 20% of the basic FSI (i.e. 0.10 FSI on gross plot area), which shall not be counted towards the total FSI of the Project.</i></p>						
<p>(ii) Published Regulation is sanctioned as follows and is shifted below Regulation No.5.1 (i) with renumbering as 5.1 (ii) :—</p> <p>“5.1 (ii)- Subject to the limits imposed by the overall FSI admissible under this Regulation to the Special Township Project, there shall be no limit on the total built-up area / FSI utilisation for the development of any individual plot in the Special Township Project. Maximum Height of any building shall be as per the Standardised Development Control and Promotion Regulations for Regional Plan.</p> <p>However, the height of a building may be increased further, subject to provision of fire fighting arrangements, with prior approval of the Director of Fire Services, Government of Maharashtra. For height</p>						

ANNEXURE- 'A'—(Contd.)

(1)	(2)	(3)	(4)
		<p>(iii) For Special Township Projects in Green Zone situated outside the Transport Corridor, 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built-up area worked out on the entire gross area of the project. Further, while developing such schemes it shall be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible thereon.</p> <p>(iv) The Planning and Design of Social Housing Component for EWS/LIG shall not be amenable to combining one or more flats to make larger flats.</p> <p>(v) The tenements for EWS/LIG shall be constructed as per the specifications given by the Government and such constructed tenements of EWS/LIG shall be handed over to MHADA at construction cost as per the ASR of the year in which Commencement Certificate is issued and for disposal as per the prevailing policy of the Government.</p>	<p>of a building above 36 mtr., the norms and guidelines for marginal distances as specified in National Building Code, as amended from time to time, shall be followed.”</p> <p>(iii) This Regulation is deleted.</p> <p>(iv) Published Regulation is sanctioned and is shifted below Regulation No.5.1, and renumbered as 5.1 (iii).</p> <p>(v) Published Regulation is sanctioned as follows and is shifted below Regulation No.5.1 with renumbering as 5.1 (iv) :—</p> <p>“5.1(iv)-(a) The Landowner / Developer shall construct the stock of the EWS/LIG tenements in the same Special Township Project and the Planning Authority or the Collector, as the case may be, shall ensure that the Occupation Certificate for the rest of the development under the Special Township Project is not issued till the Occupation Certificate is issued for the EWS / LIG tenements under the said Special Township Project.</p> <p>(b) The completion of EWS / LIG tenements under the Special Township Project, alongwith necessary particulars including a copy of the Occupation Certificate granted by the Planning Authority or the Collector, as the case may be, in respect thereof, shall</p>

ANNEXURE- 'A'—(Contd.)

(1)	(2)	(3)	(4)
			<p>be immediately intimated by the Landowner/ Developer to MHADA. Upon such intimation MHADA, within a period of 6 months from the date of receipt of such intimation, shall either purchase such EWS /LIG tenements or allot such tenements to the allottees selected by MHADA through a system of lottery, drawn after such EWS / LIG tenements have been granted Occupation Certificate and thereafter, the Landowner / Developer shall dispose of such tenements to MHADA or such allottees, as the case may be, at the construction rates in the Annual Statement of Rates (ASR), prepared by the Inspector General of Registration and Controller of Stamps, applicable to the land under the project, on the date of grant of Occupation Certificate to such EWS/LIG tenements.</p> <p>(c) The Landowner / Developer may also be permitted to utilise 1/4th of the total 20% FSI earmarked for the EWS / LIG to construct EWS / LIG tenements in the form of service quarters in the same Special Township Project but in a separate block which shall have to be sold as service quarters only to the purchasers of the free sale flats constructed under the Residential Component of the Special Township Project.”</p> <p>(vi) Published Regulation is sanctioned as follows and is shifted below Regulation No.5.1 with renumbering as 5.1(v) :—</p> <p>“5.1 (v) The optional Additional FSI as per Regulation No.5.1(i) to be granted against premium, shall be sold in the Akola-Washim Region at the 50% of the land rate as prescribed in ASR, by the respective Authorities notified by the Government. No premium shall be charged for the grant of FSI for Social Housing for EWS / LIG.”</p> <p>(vii) Published Regulation is sanctioned and is shifted below Regulation No.5.1, with renumbering as 5.1 (vi).</p>
		<p>(vi) The optional Additional FSI to be granted against premium shall be sold in the Akola-Washim Region at 50% of the ASR of the Registration Department by the respective Authorities notified by the Government. No premium shall be charged for the grant of FSI for social housing for EWS/ LIG.</p> <p>(vii) The amount of premium collected by the respective authorities shall be deposited in a separate Account and should be exclusively used for creating</p>	

ANNEXURE- 'A'—(Contd.)

(1)	(2)	(3)	(4)
<p>7. 7. PROCEDURE (d) - Nil</p>	<p>off-site infrastructure and implementation of Regional Plan.</p> <p>7. PROCEDURE</p> <p>(D) <i>Transition Policy</i> : The Special Township in which location clearance has already been granted may be allowed to be converted into the New Scheme proposed above, subject to the following conditions :—</p> <p>(i) FSI as per new scheme shall be permissible only on the balance unbuilt, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance unbuilt, unencumbered and buildable area is 8 Ha. or more but less than 40 Ha. then, admissible FSI on such land parcel, upon conversion shall be admissible on the basis of the area of such land parcel as per the minimum given in Regulation 5 above for the respective zones. If such land parcel is more than 40 Ha. then, the admissible FSI shall be calculated as per the areawise entitlement given in the Tables under Regulation 5 for the respective zones.</p> <p>(ii) Development on the balance area as above shall be strictly in conformity with the Planning standards, Development Control and Promotion Regulations etc. No relaxation shall be granted in respect of the marginal spaces, road width etc.</p>	<p>7. PROCEDURE</p> <p>(D) <i>Transition Policy</i> : The Special Township Project in respect of which location clearance has already been granted may be allowed to be converted into a project under the modified scheme as above, with the prior approval of the Government, subject to the following conditions :—</p> <p>(i) FSI as per the Modified Scheme shall be permissible only on the balance un-built, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance, un-built, unencumbered and buildable area is 8 Ha. or more but less than 40 Ha. then, admissible FSI on such land parcel, upon conversion shall be admissible on the basis of the area of such land parcel as per the minimum given in Regulation 5 above for the respective zones. If such land parcel is more than 40 Ha. then, the admissible FSI shall be calculated as per the area wise entitlement given under Regulation No. 5 for the respective zones.</p> <p>(ii) Development on the balance area as above shall be strictly in conformity with the Planning standards, Standardised Development Control & Promotion Regulations for Regional Plan etc. No relaxation shall be granted in respect of the marginal spaces, road width etc.</p>	

By order and in the name of the Governor of Maharashtra,

M. M. PATIL,
Under Secretary to Government.